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Steven Soloff

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EXAMINER

SHELEHEDA, JAMES R

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 09/733,229	Applicant(s) SOLOFF ET AL.	
	Examiner James Sheleheda	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 August 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 45-76 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 45-76 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                      |                                                                   |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____                                                          | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 52 is objected to because of the following informalities:

Claim 52 is listed as "previously presented" and includes amended material. To advance prosecution, claim 52 is being treated as "currently amended."

Appropriate correction is required.

### ***Response to Arguments***

2. Applicant's arguments filed 08/07/07 have been fully considered but they are not persuasive.

On page 11, of applicant's response, applicant argues that the extraction and routing of additional information to the RS-232 connection, as taught by Fang, would require hardware modification of Metz's digital entertainment terminal.

In response, it is noted that Metz discloses wherein the system will receive packet data (at MPEG demux, 127; Fig. 6) and then route the packets to the appropriate destination within the STB (column 18, lines 18-28). Further, data packets may be routed directly to the processor, 110 (which is connected to the RS-232 port; column 18, lines 26-28). Further, Metz specifically discloses wherein the RS-232 connection may be utilized to allow an external device to communicate with the broadband network (column 21, lines 11-16). Finally, Metz indicates that the specific communications over the RS-232 connection would be controlled by the downloaded software programs

(column 21, lines 18-22). Thus, the hardware system described by Metz clearly provides for a means and route to extract data from the broadcast stream and route it to the RS-232 connection, and would not require the hardware modifications that applicant suggests.

In response to applicant's argument that Fang provides a "hardware solution" to extracting additional information, the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981). In this case, Metz provides for a means to extract and route received information to the RS-232 port (from the MPEG system demux, 127). Metz simply fails to describe the additional information and the external device connected to the RS-232 port.

Fang was utilized to disclose the use of a viewing device, connected to a RS-232 port, to display supplemental information without obscuring the video display. Thus, applicant's arguments are not convincing.

In response to applicant's arguments on page 12, in regards to claims 49, 65 and 72, it is noted that Fang's will automatically operate and output the additional information without user interaction after the system is set to the output mode (column 3, lines 39-47). Once the "output" mode is selected, the system will then operate in an

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automated manner, requiring no user interaction to find the additional data, extract it and output it. Thus, applicant's arguments are not convincing.

In response to applicant's arguments on page 12, in regards to claims 51, 52, 63 and 74, it is noted that the claims merely recite that the television signals and additional information are carried on different discrete broadcast channels.

Wang specifically discloses wherein the television video and the additional information (HTML pages) are transmitted across a plurality of different discrete broadcast channels, as every discrete broadcast channel includes video and additional information (see Figs. 2-3; column 5, lines 5-62). Thus, the additional information and the television programming are both transmitted across a plurality of different discrete broadcast channels. The claim do not require a "dedicated" channel for transmitting the additional information as applicant suggests.

In response to applicant's arguments regarding a "time shifted" web site or program guide, Wang discloses transmitting a plurality of time shifted program guide web pages (column 6, lines 5-48), meeting the claim language. Thus, applicant's arguments are not convincing.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 45-55 and 58-76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Metz et al. (Metz) (5,666,293) (of record) in view of Wang (6,675,385) (of record) and Fang et al. (Fang) (6,816,201) (of record).

As to claims 45, 69 and 73, Metz discloses a DSS terrestrial satellite communications network including an existing base of IRDs (100) at different user locations (Fig. 1; column 16, lines 48-59), each IRD including a first high speed port to provide a data link of sufficient bandwidth to stream broadcast television signals for real-time display on a video display device (RF video output to television; column 19, lines 39-64) and a first low speed serial data port (RS-232; 151; Fig. 6), ordinarily used to debug the IRD (column 21, lines 7-22), having insufficient bandwidth to stream the television signal for real-time display (as the port is a RS-232 data port) comprising:

software means for reconfiguring the existing IRD, without internal modification of the existing IRD hardware (downloading software applications to provide additional information services to the user; column 20, lines 32-42 and column 34, lines 20-39), by downloading the software upgrade via the satellite broadcast channel (column 4, lines 63-67 and column 5, lines 38-67).

While Metz discloses a data link from the IRD's first low speed serial data port to an external device (column 21, lines 7-17), he fails to specifically disclose providing additional information in the satellite broadcast stream, a viewing device having a serial data port for receiving, storing and displaying additional information, a data link from the

IRD's serial data port to the viewing device's serial data port and extracting the additional information from said data stream and send the additional information through said second low speed serial data port to the viewing device.

In an analogous art, Wang discloses a DSS terrestrial-satellite communications network (a satellite network which transmits digital MPEG data; column 4, lines 19-23 and column 4, lines 62-66) which provides additional information within the satellite broadcast channels (EPG data and web pages; column 4, lines 5-9 and 31-33) to a user IRD configured to receive a satellite data stream including a plurality of television signals and additional information (column 5, lines 5-29 and column 7, lines 66-column 8, line 21) and extract the additional information from said data stream (separating the guide information from the MPEG stream; column 7, line 66-column 8, line 21) for the typical benefit of allowing satellite television users (column 4, lines 19-33) to utilize and access additional data, such as an EPG and Internet data, while requiring little local memory and processing power (column 2, lines 27-59).

Additionally, in an analogous art, Fang discloses a broadcast receiving system (Fig. 2; column 2, lines 3-11) wherein video data is transmitted through a first connection to a display (Fig. 1; column 3, lines 31-38) and additional information is transmitted with the television signal (column 4, lines 39-47), extracted and transmitted through second serial data port connection (RS232 data port; Fig. 1; column 3, lines 39-56), said serial data port having insufficient bandwidth to stream the television signal over the data link for real time display on said viewing device (RS232 data port; Fig. 1; column 3, lines 39-56) to a viewing device (column 4, lines 44-56), including a memory

and a software application for retrieving data from the serial data port and saving the retrieved additional information in the memory (column 4, lines 15-54) and displaying the additional information (column 3, lines 48-56 and column 4, lines 15-55) for the typical benefit of more effectively using information available with a television broadcast signal by not obscuring the video display (column 1, lines 41-67 and column 2, lines 50-56).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Metz's system to include providing additional information in the satellite broadcast stream, as taught by Wang, for the typical benefit of allowing satellite television users to utilize and access additional data, such as an EPG and Internet data, while requiring little local memory and processing power.

Additionally, it would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Metz and Wang's system to include a viewing device having a serial data port for receiving, storing and displaying additional information, a data link from the IRD's serial data port to the viewing device's serial data port and extracting the additional information from said data stream and send the additional information through said second low speed serial data port to the viewing device, as taught by Fang, for the typical benefit of more effectively using information available with a television broadcast signal by not obscuring the video display.

As to claim 65, Metz discloses a DSS terrestrial satellite communications network including an existing base of IRDs (100) at different user locations (Fig. 1; column 16,



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lines 48-59), each IRD including a first high speed port to provide a data link of sufficient bandwidth to stream broadcast television signals for real-time display on a video display device (RF video output to television; column 19, lines 39-64) and a first low speed serial data port (RS-232, 151; Fig. 6), ordinarily used to debug the IRD (column 21, lines 7-22), having insufficient bandwidth to stream the television signal for real-time display (as the port is a RS-232 data port) comprising:

software means for reconfiguring the existing IRD, without internal modification of the existing IRD hardware (downloading software applications to provide additional information services to the user; column 20, lines 32-42 and column 34, lines 20-39), by downloading the software upgrade via the satellite broadcast channel (column 4, lines 63-67 and column 5, lines 38-67).

While Metz discloses a data link from the IRD's first low speed serial data port to an external device (column 21, lines 7-17), he fails to specifically disclose providing additional information in the satellite broadcast stream, a viewing device having a serial data port for receiving, storing and displaying additional information, a data link from the IRD's serial data port to the viewing device's serial data port and extracting the additional information from said data stream and send the additional information through said second low speed serial data port to the viewing device without user interaction.

In an analogous art, Wang discloses a DSS terrestrial-satellite communications network (a satellite network which transmits digital MPEG data; column 4, lines 19-23 and column 4, lines 62-66) which provides additional information within the satellite broadcast channels (EPG data and web pages; column 4, lines 5-9 and 31-33) to a user

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IRD configured to receive a satellite data stream including a plurality of television signals and additional information (column 5, lines 5-29 and column 7, lines 66-column 8, line 21) and extract the additional information from said data stream (separating the guide information from the MPEG stream; column 7, line 66-column 8, line 21) for the typical benefit of allowing satellite television users (column 4, lines 19-33) to utilize and access additional data, such as an EPG and Internet data, while requiring little local memory and processing power (column 2, lines 27-59).

Additionally, in an analogous art, Fang discloses a broadcast receiving system (Fig. 2; column 2, lines 3-11) wherein video data is transmitted through a first connection to a display (Fig. 1; column 3, lines 31-38) and additional information is transmitted with the television signal (column 4, lines 39-47), extracted and transmitted through second serial data port connection (RS232 data port; Fig. 1; column 3, lines 39-56), said serial data port having insufficient bandwidth to stream the television signal over the data link for real time display on said viewing device (RS232 data port; Fig. 1; column 3, lines 39-56) to a viewing device (column 4, lines 44-56) without user interaction (as the system will continuously output the data, without user interaction, after the initial set-up; column 4, lines 15-55), including a memory and a software application for retrieving data from the serial data port and saving the retrieved additional information in the memory (column 4, lines 15-54) and displaying the additional information (column 3, lines 48-56 and column 4, lines 15-55) for the typical benefit of more effectively using information available with a television broadcast signal by not obscuring the video display (column 1, lines 41-67 and column 2, lines 50-56).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Metz's system to include providing additional information in the satellite broadcast stream, as taught by Wang, for the typical benefit of allowing satellite television users to utilize and access additional data, such as an EPG and Internet data, while requiring little local memory and processing power.

Additionally, it would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Metz and Wang's system to include a viewing device having a serial data port for receiving, storing and displaying additional information, a data link from the IRD's serial data port to the viewing device's serial data port and extracting the additional information from said data stream and send the additional information through said second low speed serial data port to the viewing device without user interaction, as taught by Fang, for the typical benefit of more effectively using information available with a television broadcast signal by not obscuring the video display.

As to claim 46, Metz, Wang and Fang disclose wherein the software means extracts and sends only the additional information through the serial data port (wherein only additional, non-video information, is transmitted to the extra display; see Fang at column 4, lines 15-55).

As to claim 49, Metz, Wang and Fang disclose wherein the software means for extracting the additional information pushes the additional information to said viewing

device (wherein the viewing device does *not* request the information be transmitted; see Fang at column 4, lines 15-55) without user interaction (as the system will continuously output the data, without user interaction, after the initial set-up; column 4, lines 15-55).

As to claim 50, Metz, Wang and Fang disclose wherein the viewing device is only configured to receive the additional information from the IRD through the second low speed serial data port (see Fang at Figs. 1-2; column 3, lines 39-56).

As to claim 51, Metz, Wang and Fang disclose wherein the television signals and additional information are carried on different discrete broadcast channels (see Wang at column 5, lines 5-62), the additional information including HTML formatted Web data retrieved from the Internet (see Wang at column 3, line 62-column 4, line 8) and pushed into the satellite data stream on a particular channel (see Wang at column 4, lines 9-23 and column 5, lines 5-62), said IRD being tuned to the particular channel for at least a predetermined amount of time (see Wang at column 6, line 60-column 7, line 21) to push the Web data through the low speed serial data port to the viewing device where the Web data appears as a seamless time shifted Web site (see Wang at column 6, line 60-column 7, line 21 and Fang at column 4, lines 40-54).

As to claims 52 and 74, Metz, Wang and Fang disclose wherein the television signals and additional information are carried on different discrete broadcast channels (see Wang at column 5, lines 5-62), the additional information including a program

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guide for a plurality of discrete broadcast channels (see Wang at column 3, line 62-column 4, line 8) with advance television program schedules being pushed into the satellite data stream on a particular channel (see Wang at column 4, lines 9-23 and column 5, lines 5-62), said IRD being tuned to the particular channel for at least a predetermined amount of time (see Wang at column 6, line 60-column 7, line 21) to push the program through the low speed serial data port to the viewing device (see Wang at column 6, line 60-column 7, line 21 and Fang at column 4, lines 40-54), where the program guide appears as a seamless time shifted program guide (column 8, lines 5-48 and column 8, lines 22-63).

As to claim 53, Metz, Wang and Fang disclose wherein the television signals and additional information are carried on discrete broadcast channels in the satellite data stream (see Wang at column 5, lines 5-62), the additional information including program guide information for each of a plurality of said discrete broadcast channels (see Wang at column 3, line 62-column 4, line 8 and column 6, line 60-column 7, line 49), said program guide information being tuned to a particular discrete broadcast channel so that the particular broadcast television signal is sent through the first high speed port to the video display device (see Wang at Fig. 1; column 7, lines 50-54 and Fang at Fig. 1; column 3, lines 31-38) and said means extracts the program guide information from the particular channel (see Wang at column 7, line 50-column 8, line 20 and Fang at column 4, lines 5-32) and pushes it through the second low speed serial data port to the viewing device (see Fang at column 4, lines 15-54) so that the program guide information

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pushed to the viewing device changes as the user changes channels (channel specific guide pages; see Wang at column 7, line 50-column 8, line 20).

As to claim 54, Metz, Wang and Fang disclose wherein the program guide information for particular discrete broadcast channel only includes schedule information for that channel (channel specific guide pages; see Wang at column 7, line 50-column 8, line 20).

As to claim 55, Metz, Wang and Fang disclose wherein the viewing device does not include a control port for sending commands to change channels (the control port for commands is optional; see Fang at column 4, lines 55-61).

As to claim 58, Metz, Wang and Fang disclose wherein the viewing device does not send commands to said IRD or said video display to change channels (the control port for commands is optional; see Fang at column 4, lines 55-61).

As to claim 59, Metz, Wang and Fang disclose wherein the viewing device does not have access to an Internet Service Provider other than Web data downloaded in the additional information (wherein the guide and all other web pages are selected and transmitted with the television; see Wang at column 3, line 62-column 4, line 8).

As to claim 60, Metz, Wang and Fang disclose wherein the web data includes a web page and a plurality of hyperlinks to give the user the impression of being connected to an interactive ISP (see Wang at column 3, line 62-column 4, line 8 and column 9, line 4-64).

As to claims 61, 70 and 71, Metz, Wang and Fang disclose wherein the television signals are carried on discrete broadcast channels in the satellite data stream (see Wang at column 5, lines 5-62), the additional information is coupled to particular discrete broadcast channels based upon the subject matter of the additional information being similar to the subject matter of the broadcast television signal in that particular discrete broadcast channels (EPG content related to the particular broadcast channel content; see Wang at column 5, line 46-column 6, line 35 and column 8, lines 1-24).

As to claim 62, Metz, Wang and Fang disclose wherein the additional information includes Web data (see Wang at column 3, line 62-column 4, line 8).

As to claim 63, Metz, Wang and Fang disclose wherein the television signals and additional information are carried on discrete broadcast channels in the satellite data stream (see Wang at column 5, lines 5-62), the additional information including web data that is coupled to a particular discrete broadcast channel (see Wang at column 3, line 62-column 4, line 8, column 5, lines 5-62 and column 8, line 1-24), said IRD being periodically tuned to that particular discrete broadcast channel for said means to extract

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the web data (see Wang at column 6, line 60-column 7, line 21), and transmit it over the serial data port to the viewing device (see Wang at column 6, line 60-column 7, line 21 and Fang at column 4, lines 40-54), wherein said television broadcast signal in said particular discrete broadcast channel is not transmitted over the first high speed port to the video display device (see Fang at column 3, lines 35-56 and column 4, lines 15-54).

As to claim 64, Metz, Wang and Fang disclose

means for selecting, acquiring (EPG Manager, 14; column 3, lines 56-67) and editing (formatting by MPEG streamer, 18; column 4, lines 9-13) the additional information (EPG information for programming content; Fig. 4; column 6, lines 5-16);

a first network computer (Fig. 1; a computer storing the EPG webpages on the Internet, 11) having memory storage means for storing said additional information (wherein the webpages must be stored on the computer to be accessed; column 3, lines 37-41);

a central network computer (Fig. 1; a computer in headend, 16; column 3, lines 42-46) having storage means for storing television broadcast signals in discrete broadcast channels (column 4, lines 9-40);

means for transmitting the content specific information from said first network computer to said central network computer (column 3, lines 56-61);

means in said central computer for coupling the additional information to one or more discrete broadcast channels (column 4, lines 9-23);



one or more communication satellites for receiving and transmitting the satellite data stream (direct broadcast satellite; column 4, lines 62-66);

uplink means coupling said discrete broadcast channels to said satellites in the form of said data stream (wherein an uplink means is inherently present for signals from the headend (16) to reach the satellite; Fig. 4; column 4, line 62-66 and column 5, lines 5-30); and

downlink means (wherein a downlink means is inherently present for signals from the satellite to reach the set top (24); Fig. 4; column 4, line 62-66 and column 5, lines 5-29) coupling said data stream from said satellites to a receiving antenna (wherein an antenna is inherently present for the set top to receive transmitted satellite signals) situated within said satellite's coverage area (the antenna must be situated in the coverage area for the signal to be received), said receiving antenna being connected to said IRD (the set top must be connected to the antenna to receive the satellite signals).

As to claim 66, Metz, Wang and Fang disclose wherein the viewing device does not send commands to said IRD or said video display to change channels (the control port for commands is optional; see Fang at column 4, lines 55-61).

As to claim 67, Metz, Wang and Fang disclose wherein the additional information is coupled to particular discrete broadcast channels based upon the subject matter of the additional information being similar to the subject matter of the broadcast television signal in that particular discrete broadcast channels (EPG content related to the

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particular broadcast channel content; see Wang at column 5, line 46-column 6, line 35 and column 8, lines 1-24).

As to claim 68, Metz, Wang and Fang disclose wherein the additional information includes Web data (see Wang at column 3, line 62-column 4, line 8).

As to claim 76, Metz, Wang and Fang disclose wherein the viewing device does not send channel changing commands to the IRD or the video display to change channels (the control port for commands is optional; see Fang at column 4, lines 55-61).

As to claim 72, Metz, Wang and Fang disclose wherein the extraction means pushes the additional information out said second low speed serial data port (wherein the viewing device does *not* request the information be transmitted; see Fang at column 4, lines 15-55) without user interaction (as the system will continuously output the data, without user interaction, after the initial set-up; column 4, lines 15-55).

As to claim 75, Metz, Wang and Fang disclose wherein the software application on the viewing device only retrieves data from its serial data port (see Fang at Figs. 1-2; column 3, lines 39-56).

As to claim 47 and 48, while Metz, Wang and Fang disclose a second low speed serial data port, they fail to specifically disclose wherein the bandwidth of the second low speed serial data port is approximately 4600 bits per second.

The examiner takes Official Notice that it was notoriously well known in the art at the time of invention by applicant to operate a serial port, such as the RS232 serial port disclosed by Fang (column 3, lines 48-56), at 4600 bits per second, as this was a typical operating bandwidth supported by and utilized in data ports which conformed to the RS232 standard.

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Metz, Wang and Fang's system to include wherein the bandwidth of the second low speed serial data port is approximately 4600 bits per second for the typical benefit of incorporating a data port which was widely utilized for conforming with the RS232 standard.

5. Claims 56 and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Metz, Wang and Fang as applied to claim 48 above, and further in view of Machida et al. (Machida) (US 2003/0158932) (of record).

As to claim 56, while Metz, Wang and Fang disclose wherein the viewing device monitors the serial data port and wherein additional information is transmitted from the IRD to the viewing device (see Fang at column 4, lines 15-54), they fail to specifically disclose displaying an icon informing a user.

In an analogous art, Machida discloses a communications system for connecting peripheral devices (Fig. 1) wherein an icon is displayed to a user informing the user of the status of a peripheral device (see Figs. 3 and 8, paragraph 77 and claim 13), including notification of when the device is in use (see paragraph 73) for the typical benefit of providing a more efficient system where a user can easily identify the status of a peripheral device (see paragraph 7).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Metz, Wang and Fang's system to include displaying an icon informing a user, as taught by Machida, for the typical benefit of providing a more efficient system where a user can easily identify the status of a peripheral device.

As to claim 57, Metz, Wang, Fang and Machida disclose wherein the viewing device displays a different icon informing the user when the additional information has been received (informing the user that the device is no longer busy; see Machida at Figs. 3 and 8, paragraph 77 and claim 13).

### ***Conclusion***

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

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### **Certificate of Transmission**

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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. ( ) \_\_\_\_\_ - \_\_\_\_\_ on \_\_\_\_\_.  
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Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Sheleheda whose telephone number is (571) 272-7357. The examiner can normally be reached on 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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